

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION OF**  
**SOUTH CAROLINA**

**DOCKET NOS. 2017-207-E, 2017-305-E, AND 2017-370-E**

**IN RE:** Friends of the Earth and Sierra Club,  
Complainant/Petitioner v. South Carolina  
Electric & Gas Company,  
Defendant/Respondent

**IN RE:** Request of the South Carolina Office of  
Regulatory Staff for Rate Relief to SCE&G  
Rates Pursuant to S.C. Code Ann. § 58-27-  
920

**IN RE:** Joint Application and Petition of South  
Carolina Electric & Gas Company and  
Dominion Energy, Incorporated for Review  
and Approval of a Proposed Business  
Combination between SCANA Corporation  
and Dominion Energy, Incorporated, as May  
Be Required, and for a Prudency  
Determination Regarding the Abandonment  
of the V.C. Summer Units 2 & 3 Project  
and Associated Customer Benefits and Cost  
Recovery Plans

**DOMINION ENERGY, INC.'S  
RESPONSE TO SOUTH  
CAROLINA OFFICE OF  
REGULATORY STAFF'S  
MOTION TO SANCTION  
JOINT APPLICANTS AND  
TO COMPEL PRODUCTION  
OF WRONGFULLY  
WITHHELD DOCUMENTS  
IN JOINT APPLICANTS'  
PRIVILEGE LOG**

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Dominion Energy, Inc. ("Dominion Energy") hereby responds to the motion by the South Carolina Office of Regulatory Staff ("ORS") seeking to sanction Joint Applicants and compel production of various documents it deems wrongfully withheld in Joint Applicants' privilege log.

Dominion Energy and South Carolina Electric & Gas Company ("SCE&G") come before this Commission in the above-referenced matter as Joint Applicants. ORS's present motion,

however, pertains to discovery requests seeking information and materials that relate exclusively to SCE&G and are solely in its possession. As noted in footnote 1 in Joint Applicants' Response to ORS's Motion to Compel, Dominion Energy joined in the response as a Joint Applicant, but deferred to SCE&G on the substantive discovery issues, almost all of which related to SCE&G's abandonment of the V.C. Summer Units 2 & 3 Project (the "NND Project"). Dissatisfied with SCE&G's response, ORS now seeks sanctions collectively against both Joint Applicants. Dominion Energy continues to assert that it is not in possession of any information or materials responsive to ORS's underlying discovery requests that it has not already produced, and is therefore not properly subject to a motion to compel or sanctions.

ORS's motion seeks sanctions for an alleged failure to produce documents in two primary categories: (1) the so-called "Bechtel Documents" relating to SCE&G's consultation with Bechtel Corporation during the construction of the NND Project; and (2) information and materials responsive to ORS Request No. 5-26, which pertains to information regarding SCE&G's decision to abandon the NND Project. Both of these requests seek information about SCE&G's management of the NND Project. Dominion Energy was not involved in this management, and does not have any responsive information or materials to produce with respect to these matters even if it were compelled to do so. In short, Dominion Energy continues to defer to SCE&G with respect to the production of information and documentation responsive to ORS's discovery requests, as well as the assertion of any applicable privileges, and supports SCE&G's position that an order compelling discovery or imposing sanctions in this matter would be inappropriate.

Wherefore, Dominion Energy respectfully requests that the Commission deny ORS's Motion to Sanction Joint Applicants and to Compel Production of Wrongfully Withheld Documents in Joint Applicants' Privilege Log, and for such other and further relief as it deems just and proper.

Respectfully submitted,

s/ J. David Black

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Richmond, Virginia

Date: August 14, 2018



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COMMISSION OF SOUTH CAROLINA**

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	and Dominion Energy, Incorporated, as May	)
	Be Required, and for a Prudency	)
	Determination Regarding the Abandonment	)
	of the V.C. Summer Units 2 & 3 Project	)
	and Associated Customer Benefits and Cost	)
	Recovery Plans	)

**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the **Dominion Energy, Inc.'s Response To South Carolina Office Of Regulatory Staff's Motion For Sanction Joint Applicants And To Compel Production Of Wrongfully Withheld Documents In Joint Applicants' Privilege Log** has been served upon counsel of record by first-class mail or electronic mail on the 14th day of August, 2018, to the addresses shown below.

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